

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

NIKITA WADALE HARPER,	:	MOTION TO VACATE
	:	28 U.S.C. § 2255
Movant,	:	
	:	CRIMINAL NO.
vs.	:	1:04-CR-00218-CC-GGB-1
	:	
UNITED STATES OF AMERICA,	:	CIVIL ACTION NO.
	:	1:14-CV-00998-CC-GGB
Respondent.	:	

ORDER

This matter is before the Court on the Final Report and Recommendation [Doc. No. 203] (“Report”) issued by Magistrate Judge Gerrilyn G. Brill on August 25, 2015. In the Report, Magistrate Judge Brill recommends that the motion to vacate be dismissed as untimely. Movant Nikita Harper filed two motions for extension of time to file objections to the Report. (See Doc. Nos. 205, 207.) Both motions were subsequently granted by the Court. (See Doc. Nos. 206, 208.) However, the record reflects that no objections to the Report have been filed and that the time permitted for filing any such objections has elapsed.

Having conducted a plain error review of the Report in accordance with United States v. Slay, 714 F.2d 1093, 1095 (11th Cir. 1983), the Court finds that the Report is correct both in fact and in law. Accordingly, the Court **ADOPTS** the Report and Recommendation [Doc. No. 203] as the opinion of this Court and **DISMISSES** this case **without prejudice**.

SO ORDERED this 2nd day of March, 2016.

s/ CLARENCE COOPER

CLARENCE COOPER
SENIOR UNITED STATES DISTRICT JUDGE